

Application to file a statement out of time/extension of time

Please complete this form in black ink using BLOCK CAPITALS

Traffic Enforcement Centre
 Northampton County Court Business Centre
 St. Katharine's House
 21 – 27 St Katharine's Street
 Northampton, NN1 2LH

Penalty Charge No.

Vehicle Registration No.

You must ensure that all details above are correctly entered from the form TE3 - Order for Recovery of unpaid penalty charge.

This application must be completed (Read notes overleaf) before sending the statement to the Traffic Enforcement Centre at the above address or tec@hmcts.gsi.gov.uk

If your application is refused you may apply to review the Court Officers decision. The matter will then be transferred to your local county court. **Please note:** The District Judge will only consider whether there is good reason to file the Witness Statement out of time and will **NOT** hear the case of the alleged traffic contravention.

Title ☐ Mr. ☐ Mrs. ☐ Miss ☐ Ms. ☐ Other _____

Full name (Respondent)

Address

Postcode

Company name (If vehicle owned and registered by a company)

The above named respondent applies for permission to file a statement outside the given time/for more time to file a witness statement: (delete as applicable)

Reason(s):

(continue on a separate sheet if necessary)

Proceedings for contempt of court may be brought against you if you make or cause to be made a false statement in an application verified by a statement of truth without an honest belief in its truth.

Statement of truth

(I believe) (The witness believes) that the facts stated in this application are true.

Signed

Dated

(Witness) (Person signing on behalf of respondent)

Print full name

If you are signing on behalf of the respondent, are you

- ☐ An Officer of the company ☐ A Partner of the firm ☐ A Litigation friend acting on behalf of a protected party within the meaning of the Mental Capacity Act 2005

Out of time witness statement information sheet

Please use the list below to check you have completed both forms correctly to avoid delays.

Please note that if a warrant of control has been issued, enforcement action will not be suspended until valid forms have been processed by the TEC.

Form TE9 Witness statement

- ☐ Please quote the Penalty Charge number which can be found on the Order for Recovery or obtained from the Local/Charging Authority. We cannot trace the case without this number.
Only **one** number per application form is permitted.
- ☐ Please quote the Date of Contravention which can be found on the Order for Recovery or obtained from the Local/Charging Authority.
- ☐ State your title e.g. Mr or Mrs
- ☐ State your full name. The form can only be completed by the **named** Respondent on the Order for Recovery (referred to as WITNESS on the TE9) issued by the Local/Charging Authority.
If the Respondent has been named as a company/organisation, the person completing the form on it's behalf must ensure they state their own full name, the company name and their position in the company.
- ☐ Provide your full address including the postcode.
- ☐ Tick all boxes which apply to you. You are not permitted to add to or change the wording of any of the grounds. If none of the grounds apply, you cannot file the Witness Statement and you should contact the Local/Charging Authority who issued the Order for Recovery to try to resolve the matter.
- ☐ If ticking the box regarding payment please ensure you complete all 3 details stating the date, how it was paid and to whom it was paid. Proof may be requested at a later date.
- ☐ The Statement of Truth can only be completed by the **named** Respondent on the Order for Recovery (referred to as WITNESS on the TE9). Please sign, date and print your name and also tick the appropriate box if signing on behalf of a company/organisation.

The application can only be completed and signed by a Litigation Friend if the Respondent is a protected party (a party who lacks capacity within the meaning of the Mental Capacity Act 2005 to conduct legal proceedings). (See Part 21 (children and protected parties) of the Civil Procedure Rules). If you are a Litigation Friend, please provide proof of this.

Form TE7 Application to file a statement out of time

- ☐ Please quote the Penalty Charge number which can be found on the Order for Recovery or obtained from the Local/Charging Authority. We cannot trace the case without this number. Only **one** number per application form is permitted.
- ☐ State your title e.g. Mr or Mrs.
- ☐ State your full name. The form can only be completed by the **named** Respondent on the Order for Recovery (referred to as WITNESS on the TE9) issued by the Local/Charging Authority. If the Respondent has been named as a company/organisation, the person completing the form on it's behalf must ensure they state their own full name, the company name and their position in the company.
- ☐ State clear reasons for not filing your Witness Statement within the time limit allowed on the Order for Recovery. These should **not** be the reasons why you are disputing the original penalty charge. The purpose of this application is to request permission to file a Witness Statement after the time limit allowed for doing so has elapsed. You may attach any relevant evidence.
- ☐ The Statement of Truth can only be completed by the **named** Respondent on the Order for Recovery. (referred to as WITNESS on the TE9) Please sign, date and print your name and also tick the appropriate box if signing on behalf of a company/organisation.

The application can only be completed and signed by a Litigation Friend if the Respondent is a protected party (a party who lacks capacity within the meaning of the Mental Capacity Act 2005 to conduct legal proceedings). (See Part 21 (children and protected parties) of the Civil Procedure Rules). If you are a Litigation Friend, please provide proof of this.

If you have any supporting evidence that you wish to attach to your Out of Time forms, then this must be submitted at the same time.

Please note: If you are submitting an Application to file a statement out of time (form TE7), you must also attach a completed Witness Statement (form TE9).

The completed Witness Statement **and** Out of Time Application should be sent to:

The Traffic Enforcement Centre
St Katharine's House
21/27 St Katharine's Street
Northampton
NN1 2LH

Alternatively you may fax the forms to 0870 324 0092 or email the documents to tec@hmcts.gsi.gov.uk

The Application to file a witness statement out of time will be forwarded to the Local/Charging Authority for their consideration and if they refuse it then it will be referred to a Court Officer for a decision without a hearing. You will be advised of the decision in due course.

All payments and payment queries must be sent direct to the Local/Charging Authority or their agents.

Court staff are not legally trained. If you need legal advice you may wish to contact a solicitor or a Citizens Advice Bureau.